

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

In re: Charles Dewey Holt

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)

Case No: 19-31857

Chapter 13

**OBJECTION TO CONFIRMATION**

**COMES NOW**, Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, and moves this Court to deny confirmation of the Chapter 13 Plan filed on April 12, 2019, for the cause as follows:

1. The Debtor filed this Chapter 13 Petition on April 5, 2019 under 11 U.S.C. Chapter 13, now pending in the United States Bankruptcy Court, Eastern District of Virginia, Richmond Division.
2. This Objection is filed pursuant to 11 U.S.C. 1325 (b) (1) (B).
3. The above filed Chapter 13 Plan fails to provide that all of the debtor's projected disposable income in the applicable commitment period will be applied to the plan payments, shown by:
  - a. Upon evidence and belief, the Debtor understates income on schedule I and 22C.
  - b. The Trustee requests six months of all stubs from all sources required to calculate 22C income, and an affidavit detailing any gaps in income during that time.
  - c. The Trustee requests six months of copies of all bank statements prior to filing.
  - d. The debtor overstates health care, and the Trustee requests proof of all healthcare costs that are paid out of pocket, to include an explanation of benefits.
  - e. The Trustee requests proof of the status of life insurance taken as a deduction as term or whole life and proof of the monthly amount of each.
  - f. The Trustee requests proof of all retirement deductions.
  - g. The Trustee requests proof of all electric bills.
  - h. The Trustee would suggest that all disposable income be paid into the Chapter 13 Plan.

WHEREFORE, for the reasons stated herein, the Chapter 13 Trustee, by Counsel, Susan H. Call, respectfully moves the Court to deny confirmation of the Debtors' proposed Chapter 13 Plan as filed with the Court, and for such further and other relief as in the premises may seem just.

Date: June 4, 2019

/s/Susan H. Call

Susan H. Call, Counsel for

Carl M. Bates, Chapter 13 Trustee

Susan H. Call, Esquire  
Staff Counsel for  
Carl M. Bates  
P.O. Box 1819  
Richmond, VA 23218-1819  
(804) 237-6800  
VSBN 34367

**Certificate of Service**

I hereby certify that on June 4, 2019, I have mailed or hand-delivered a true copy of the foregoing Objection to Confirmation to the debtor(s), Charles Dewey Holt, 9618 Alfaree Rd., North Chesterfield, VA 23237 and electronically sent to debtor's attorney, James E. Kane, Esquire, jkane@kaneandpapa.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates, Chapter 13 Trustee

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA  
RICHMOND DIVISION

[illegible]

Debtor Address 9618 Alfaree Road  
North Chesterfield, VA 23237

Last four digits of Social Security No(s).: 6970

## NOTICE OF OBJECTION TO CONFIRMATION

Susan H. Call, Counsel for Carl M. Bates the Chapter 13 Trustee, has filed papers with the Court objecting to confirmation of your Chapter 13 Plan, which was filed in this case.

**Your rights may be affected.** You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one).

If you do not want the Court to grant the relief sought in the Objection, or if you want the Court to consider your views on the Objection, then on or before three (3) days before the date of the hearing, you or your attorney must:

  X   File with the court, at the address shown below, a written request for a hearing [or a written response pursuant to Local Bankruptcy Rule 9013-1(H)]. If you mail your request for hearing (or response) to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

Clerk of Court  
United States Bankruptcy Court  
701 East Broad Street, Suite 4000  
Richmond, VA 23219

You must also mail a copy to:

Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218

\_\_\_\_\_ Attend a hearing to be scheduled at a later date. You will receive separate notice of hearing. **If no timely response has been filed opposing the relief requested, the court may grant the relief without holding a hearing.**

  X   Attend the hearing on the objection scheduled to be held on **June 19, 2019** at **11:10 am** at United States Bankruptcy Court, **701 East Broad Street, Richmond, VA 23219, Room 5000.**

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the objection and may enter an order granting that relief.

Date: June 4, 2019

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee  
P.O. Box 1819  
Richmond, VA 23218-1819  
VSBN 34367

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I hereby certify that on June 4, 2019, I have mailed or hand-delivered a true copy of the foregoing Notice of Objection to Confirmation to the debtor(s) Charles Dewey Holt, 9618 Alfaree Rd., North Chesterfield, VA 23237 and electronically sent to debtor's attorney, James E. Kane, Esquire, jkane@kaneandpapa.com.

/s/Susan H. Call  
Susan H. Call, Counsel for  
Carl M. Bates  
Chapter 13 Trustee